

# SUMMARY DISSOLUTION INFORMATION

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This booklet is available in English and Spanish from the office of the court clerk in the superior court of each county in California, or at [www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp).

Este folleto puede obtenerse en inglés y en español en la Dirección de Registro Público del Condado (Office of the Court Clerk) o en la Corte Superior (Superior Court) de cada condado en el estado de California [www.sucorte.ca.gov](http://www.sucorte.ca.gov).

## CONTENTS

	Page
I. WHAT IS THIS BOOKLET ABOUT? .....	1
II. SOME TERMS YOU NEED TO KNOW .....	2
III. WHO CAN USE THE SUMMARY DISSOLUTION PROCEDURE? .....	3
IV. SOME TIME PERIODS TO KEEP IN MIND .....	4
V. AN IMPORTANT DIFFERENCE BETWEEN SUMMARY DISSOLUTION AND REGULAR DISSOLUTION .....	5
VI. HOW DO YOU FIGURE OUT THE VALUE OF YOUR PROPERTY AND THE AMOUNT OF YOUR DEBTS? .....	6
VII. WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY .....	8
WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY.....	10
WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION ....	12
VIII. WHAT SHOULD BE INCLUDED IN THE PROPERTY SETTLEMENT AGREEMENT? .....	13
IX. SAMPLE PROPERTY SETTLEMENT AGREEMENT .....	14
X. WHAT STEPS DO YOU HAVE TO TAKE TO GET A SUMMARY DISSOLUTION? .....	17
XI. WHAT YOU SHOULD KNOW ABOUT REVOCATION.....	19
XII. SHOULD YOU SEE A LAWYER? .....	20
XIII. SOME GENERAL INFORMATION .....	21

## I. WHAT IS THIS BOOKLET ABOUT?

This booklet describes a way to end a marriage through a kind of divorce called **summary dissolution**.

The official word for **divorce** in California is **dissolution**. There are two ways of getting a divorce, or dissolution, in California. The usual way is called a **regular dissolution**.

Summary dissolution is a shorter and easier way. But not everybody can use it. Briefly, a summary dissolution is possible for couples who

1. Have no children together;
2. Have been married for only a short time;
3. Don't own very much;
4. Don't owe very much; and
5. Have no disagreements about how their belongings and their debts are going to be divided up once they are no longer married to each other.

With this procedure you won't have to appear in court. You may not need a lawyer, but it is in your best interest to see a lawyer about the ending of your marriage. See page 20 for more details about how a lawyer can help you.

To carry out a summary dissolution, you prepare and file a *Joint Petition for Summary Dissolution of Marriage* (form FL-800), together with a property settlement agreement,\* with the superior court clerk in your county. After a six-month waiting period—during which either of you can stop the process if you change your mind—you apply for and receive a final divorce.

This booklet will tell you:

1. Who can use the summary dissolution procedure;
2. What steps you have to go through to get a summary dissolution;
3. When it would help to see a lawyer; and
4. What risks you take when you use this procedure rather than the regular dissolution procedure.

If you wish to use the summary dissolution procedure, you must, at the time you file the joint petition, sign a statement that says you have read and understood this booklet. It's important for you to read the whole booklet very carefully.

Save this booklet for at least six months if you decide to start a summary dissolution. It will tell you how to complete the procedure.

If you fail to complete the procedure either by revoking it or obtaining a final divorce, the court may dismiss the action to clear its records.

### Domestic Partners

Domestic partners who want to end their relationship in California can use either a regular dissolution or a special summary dissolution for domestic partners. The California Secretary of State prepares the forms for summary dissolution of a domestic partnership. They can be found on the Internet at: [www.ss.ca.gov](http://www.ss.ca.gov). Do not use this guide.

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### SPECIAL WARNING

If you are an alien who became a lawful permanent resident on the basis of your marriage to a U.S. citizen or to a lawful permanent resident, obtaining a dissolution within two years might lead to your deportation. You should consult a lawyer before obtaining a divorce.

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\* A property settlement agreement is an agreement that the two of you write or have someone write for you after you fill out your worksheets. The agreement spells out how you will divide what you own and what you owe.

## II. SOME TERMS YOU NEED TO KNOW

In the following pages you will often see the terms *community property*, *separate property*, and *community obligations*. Those terms are explained in this section.

As a married couple, the two of you are, in the eyes of the law, a single unit. There are certain things that you **own together** rather than separately. And there may be certain debts that you **owe together**. If one of you borrows money or buys something on credit, the other one can be made to pay.

If your marriage breaks up, you become two separate individuals again. Before that can happen, you have to decide what to do with the things you *own* as a couple and the money you *owe* as a couple.

The laws that cover these questions contain the terms *community property*, *separate property*, and *community obligations*. To understand what these terms mean, you should have a clear idea of **the length of time you lived together as husband and wife**. This is the period between your marriage day and the day you separated.

It may not be easy to decide exactly when you separated. In most cases the day of the separation was the day the couple stopped living together. However, you may want to choose the day when you definitely decided to get a divorce as your official date of separation.

### Community Property

Community property is everything a husband and wife **own together**.

In most cases that includes:

1. Money you now have that either of you earned during the time you were living together as husband and wife; and
2. Anything either of you bought with money earned during that period.

### Separate Property

Separate property is everything a husband or wife **owns separately**.

In most cases that includes:

1. Anything you owned before you got married;
2. Anything you earned or received after your separation; and
3. Anything either of you received, as a gift or by inheritance, at any time.

### Community Obligations

Community obligations are the debts a husband and wife **owe together**.

In most cases that includes anything you still owe on any debts either of you took on during the time you were living together as husband and wife. (For instance, if you bought furniture on credit while you were married and living together, the unpaid balance is a part of your community obligations.)

**NOTE:** If you lived together before your marriage, you may wish to see a lawyer about possible additional rights either of you may have.

### III. WHO CAN USE THE SUMMARY DISSOLUTION PROCEDURE?

You can get a divorce through the summary dissolution procedure only if **all** of the following statements are true about you at the time you file the *Joint Petition for Summary Dissolution of Marriage* (form FL-800). Check this list very carefully. If even *one* of these statements is not true for you, you cannot get a divorce in this way.

- \_\_\_\_\_ 1. We have both read this booklet, and we both understand it.
- \_\_\_\_\_ 2. We have been married five years or less.
- \_\_\_\_\_ 3. No children were born to the two of us together before or during our marriage.
- \_\_\_\_\_ 4. We have no adopted children under 18 years of age.
- \_\_\_\_\_ 5. The wife is not pregnant.
- \_\_\_\_\_ 6. Neither of us owns any part of any land or buildings.
- \_\_\_\_\_ 7. Our community property is not worth more than \$33,000.\*
- \_\_\_\_\_ 8. Neither of us has separate property worth more than \$33,000.\*
- \_\_\_\_\_ 9. The total of our community obligations (other than cars) is \$5,000 or less.\*

**For deciding on statements 7, 8, and 9, use the guide on pages 6–12.**

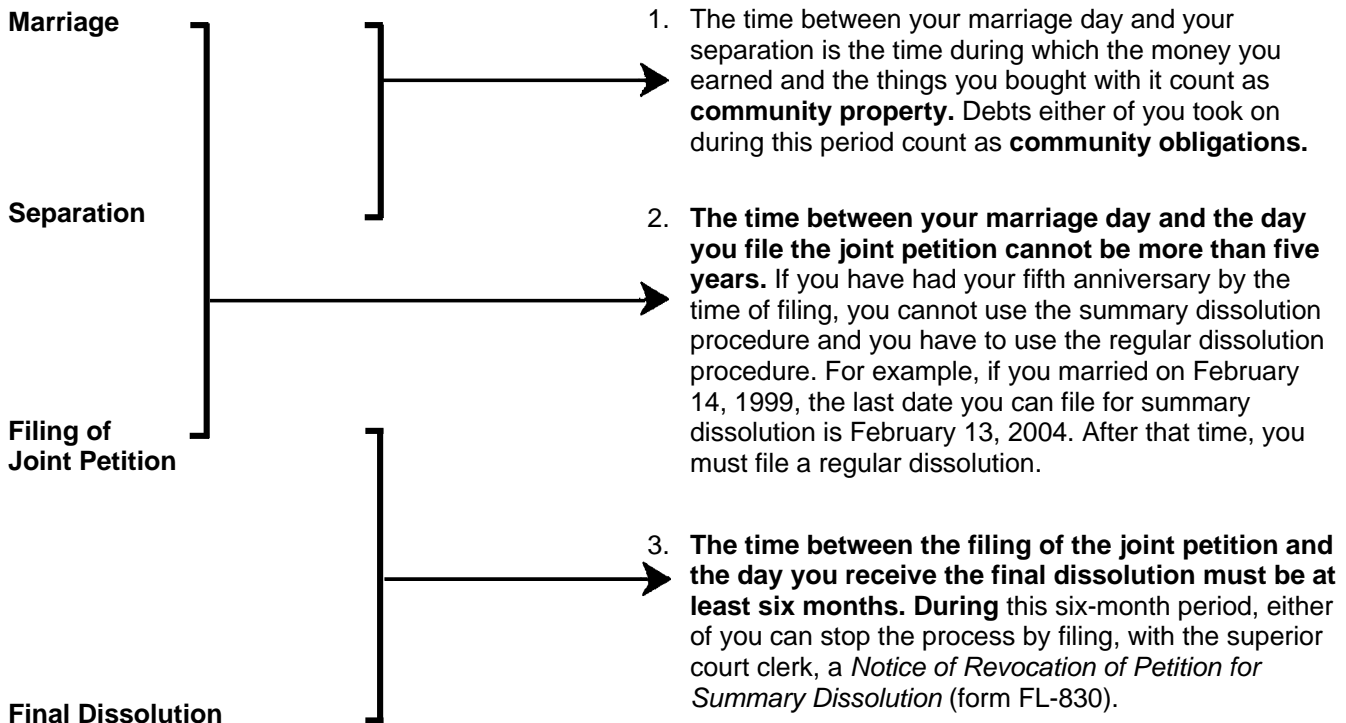
- \_\_\_\_\_ 10. At least one of us has lived in California for the past six months or longer *and* has lived in the county where we are filing for dissolution for the past three months or longer.
- \_\_\_\_\_ 11. We have prepared and signed an agreement that states how we want our possessions and debts to be divided between us (or states that we have no community property or community obligations).
- \_\_\_\_\_ 12. We have both signed the joint petition and all other papers needed to carry out this agreement.
- \_\_\_\_\_ 13. We both want to end the marriage because of serious, permanent differences.
- \_\_\_\_\_ 14. We have both agreed to use the summary dissolution procedure rather than the regular dissolution procedure.
- \_\_\_\_\_ 15. We are both aware of the following facts:
  - (a) There is a six-month waiting period, and either of us can stop the divorce at any time during this period.
  - (b) Our marriage will be completely ended only if, after the waiting period, one of us files with the superior court clerk a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820).
  - (c) After the dissolution becomes final, neither of us has any right to expect money or support from the other except what is included in the property settlement agreement.
  - (d) By choosing the summary dissolution procedure, we give up certain legal rights that we would have if we had used the regular dissolution procedure. (These are explained on page 5.)

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\*Do not count car or truck loans in this total.

## IV. SOME TIME PERIODS TO KEEP IN MIND

When working through the summary dissolution procedure, you need to have clearly in mind (1) when you were married, (2) when you separated, (3) when you plan to file the joint petition, and (4) when you can expect the final dissolution.



**After** this six-month period—unless the process has been stopped—either of you can complete the dissolution procedure by filing with the superior court clerk a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820).

**NOTICE:** If, after the six-month waiting period, neither spouse has taken steps to complete the dissolution, either spouse continues to have the right to stop it.

## V. AN IMPORTANT DIFFERENCE BETWEEN SUMMARY DISSOLUTION AND REGULAR DISSOLUTION

With a regular dissolution, the husband or wife can ask for a court hearing or trial. And, if either spouse is unhappy with the judge's final decision, it is possible to challenge that decision. This can be done, for example, by asking for a new trial. It is also possible to **appeal** the decision by taking the case to a higher court.

**With a summary dissolution, there is no trial or hearing.** Couples who choose this method of getting a divorce do not have the right to ask for a new trial (since there is no trial) or the right to appeal the case to a higher court.

There are, however, some cases in which a divorce agreement under a summary dissolution can be challenged. You will have to see a lawyer about this. The court *may* have the power to set aside the divorce if you can show that one of the following things happened:

**1. You were treated unfairly in the property settlement agreement.**

This is possible if you find out the things you agreed to give to your spouse were much more valuable than you thought at the time of the dissolution.

**2. You went through the dissolution procedure against your will.**

This is possible if you can show that your spouse used threats or other kinds of unfair pressure to get you to go along with the divorce.

**3. There are serious mistakes in the original agreement.**

Some kinds of mistakes can make the dissolution invalid, but you will have to go to court to prove the mistakes. It may be that one or both of you had a lot of property that you had forgotten about when you drew up the property settlement agreement. Or maybe a bank account mentioned in the agreement had much more money or much less money in it than your agreement states.

**4. You did not each complete the *Income and Expense Declaration* (form FL-150) and property worksheets on pages 8, 10, and 12 and give copies to your spouse.**

California law requires that you fully share all information on your property and debts as well as your income. You have to share this information before you sign your property settlement agreement.

Correcting mistakes and unfairness in a summary dissolution proceeding can be expensive, time-consuming, and difficult. It is very important for both of you to be honest, cooperative, and careful when you or your lawyers do the paperwork for the dissolution.

## VI. HOW DO YOU FIGURE OUT THE VALUE OF YOUR PROPERTY AND THE AMOUNT OF YOUR DEBTS?

Section III was a list of statements that had to be true for anyone who wanted to use the summary dissolution procedure.

### **Statement 7 was “Our community property is not worth more than \$33,000.”**

Your community property is the money and things you own jointly, as husband and wife. This was explained on page 2. The value of your community property is determined by adding together (1) the amount of **money** you have as community property and (2) the “fair market value” of the **possessions** you have as community property.

The **fair market value** is an estimate of the amount of money you could get if you sold these items to a stranger—for example, through a classified ad in the newspaper. It does **not** mean what you paid for it originally, and it does **not** mean how much it would cost you to replace it if you lost it.

One way of estimating the fair market value of your goods is to use prices for equivalent items in other people's classified ads for second-hand goods.

Three kinds of items go into figuring out your community property:

1. Money (as in bank accounts, credit union accounts, etc.);
2. Things you own outright (furniture that is already paid for, for example); and
3. Things you are buying on credit.

When you include things you still owe money on, subtract the amount of money you still owe on them from the fair market value.

You should not include the value of a car or truck in this list.

### **Statement 8 was “Neither of us has separate property worth more than \$33,000.”**

Separate property is property that each spouse owns separately. The term was explained on page 2. This includes the same kinds of things used in determining community property. And again, you should not include cars or trucks in this list.

### **Statement 9 was “The total of our community obligations (other than cars) is \$5,000.00 or less.”**

Your community obligations are the debts you and your spouse owe jointly. The term was explained on page 2. List all the debts you have that you took on while you were living together as husband and wife. If you borrowed money before you got married, you do **not** have to include that in your community obligations. If you bought furniture on credit after you got married, but before you separated, you **have to** include the amount of money you still owe on the furniture. If you bought a stereo after you separated, you do **not** have to include that.

Do not include car or truck loans in this list.

**NOTICE:** The law for summary dissolution allows you to leave out cars and trucks when you figure out whether you are **eligible** for this kind of divorce. But if you do have cars as part of your community property, you still have to decide who is going to own them (and who is going to pay for them) after your divorce. You must include them in your property settlement agreement.

**Worksheets for figuring out these amounts are found on pages 7–12.** You must complete and give to your spouse the worksheets on pages 8 (Value of Separate Property), 10 (Value and Division of Community Property), and 12 (Community Obligations and Their Division) to meet the requirement that you fully disclose your assets and debts to each other. Sample worksheets showing how to fill out those forms are on pages 7, 9, and 11.



HUSBAND:	CASE NUMBER:
WIFE:	

## VII. (SAMPLE) WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY

(This worksheet will help you determine whether you are eligible to use the summary dissolution procedure. The total fair market value of the **wife's separate property**\* CANNOT be more than \$33,000. The total fair market value of the **husband's separate property**\*\* CANNOT be more than \$33,000. Separate property is anything that either of you owned or earned before you got married, anything you earned or bought after your separation, and anything that was given to just one of you as a gift during your marriage. Do NOT include cars.)

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.			Wife's Property— Fair Market Value	Husband's Property— Fair Market Value
Item				
Credit union savings—wife (before marriage)			420	
Savings bonds—husband (bought before marriage)				250
Pension plan benefits—wife (before marriage and after separation)			1500	
Pension plan benefits—husband (before marriage and after separation)				1300
B. Items owned outright				
Item				
Clothes—wife (bought before marriage)			350	
Stocks—wife (birthday present from father)			375	
Furniture—wife (owned before marriage)			460	
Camera—husband (owned before marriage)				229
Wristwatch—husband (bought before separation)				142
Clothes—husband (bought after separation)				250
C. Items being bought on credit				
Item	Fair Market Value	Minus What's Owed		
T.V. set—wife (after separation)	400	350 =	50	
Clothes—wife (after separation)	220	170 =	50	
		=		
		=		
		=		
		=		
		=		
GRAND TOTALS: WIFE'S AND HUSBAND'S SEPARATE PROPERTY			3205*	2171**

HUSBAND: _____	CASE NUMBER:
WIFE: _____	

## VII. WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY

(This worksheet will help you determine whether you are eligible to use the summary dissolution procedure. The total fair market value of the **wife's separate property\*** CANNOT be more than \$33,000. The total fair market value of the **husband's separate property\*\*** CANNOT be more than \$33,000. Separate property is anything that either of you owned or earned before you got married, anything you earned or bought after your separation, and anything that was given to just one of you as a gift during your marriage. Do NOT include cars.)

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.

Item	Wife's Property— Fair Market Value	Husband's Property— Fair Market Value

B. Items owned outright

Item		

C. Items being bought on credit

Item	Fair Market Value	Minus What's Owed		
		=		
		=		
		=		
		=		
		=		
		=		
		=		
GRAND TOTALS: WIFE'S AND HUSBAND'S SEPARATE PROPERTY			*	**

HUSBAND: _____  WIFE: _____	CASE NUMBER: _____
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## VII. (SAMPLE) WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY

(This side of the sheet will help you determine whether you are **eligible** to use the summary dissolution. The grand total value\* of your community property cannot be more than \$33,000.)

(This side of the sheet will help you decide on a fair division of your property. It will help you prepare your property settlement agreement.)

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.

Item	Amount	Wife Receives	Husband Receives
Savings account	150	150	
Life insurance (cash value)	250	250	
Pension plan—wife	600	600	
Pension plan—husband	500		500
Checking account	180		180
<b>Subtotal A</b>	1680	1000	680

B. Items you own outright (for example, stocks and bonds, sports gear, furniture, household items, tools, interests in businesses, jewelry, etc.; do not include cars or trucks).

Item	Fair Market Value	Wife Receives	Husband Receives
Furniture & furnishings— wife's apartment	775	775	
Furniture & furnishings—husband's apartment	300		300
Terriers season tickets	285		285
Savings bonds	200	200	
Jewelry—wife	200	200	
Pet parrot and cage	40		40
<b>Subtotal B</b>	1800	1175	625

C. Items you are buying on credit (for example, stereo equipment, appliances, furniture, tools, etc.; do not include cars or trucks).

Item	Fair Mkt Value	Minus Amount Owed	=	Net Fair Market Value	Wife Receives	Husband Receives
Stereo set	305	150	=	155		155
Color television	400	100	=	300		300
Golf clubs	350	50	=	300		300
			=			
<b>Subtotal C</b>				755	0	755
<b>Subtotals A + B + C = grand total value of community property</b>				4235	2175	2060

HUSBAND:  WIFE:	CASE NUMBER:
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## VII. WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY

(This side of the sheet will help you determine whether you are **eligible** to use the summary dissolution. The grand total value\* of your community property cannot be more than \$33,000.)

(This side of the sheet will help you decide on a fair division of your property. It will help you prepare your property settlement agreement.)

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.

Item	Amount	Wife Receives	Husband Receives
<b>Subtotal A</b>			

B. Items you own outright (for example, stocks and bonds, sports gear, furniture, household items, tools, interests in businesses, jewelry, etc.; do not include cars or trucks).

Item	Fair Market Value	Wife Receives	Husband Receives
<b>Subtotal B</b>			

C. Items you are buying on credit (for example, stereo equipment, appliances, furniture, tools, etc.; do not include cars or truck).

Item	Fair Mkt Value	Minus Amount Owed	=	Net Fair Market Value	Wife Receives	Husband Receives
			=			
			=			
			=			
			=			
<b>Subtotal C</b>						
<b>Subtotals A + B + C = grand total value of community property</b>						

HUSBAND:	CASE NUMBER:
WIFE:	

## VII. (SAMPLE) WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION

(This side of the worksheet will help you to determine whether you are **eligible** to use the summary dissolution. The total amount of your community obligations (debts) cannot be more than \$5,000. Do not include car or truck loans. Be sure you include any other debts you took on while you were living together as husband and wife. List the amount you owe on the items from your **Worksheet for Determining Value and Division of Community Property**. Then add all other debts and bills including loans, charge accounts, medical bills, and taxes you owe.)

(This side of the worksheet will help you decide on a fair way to divide up your community obligations. You will use this information in preparing a **property settlement agreement**.)

Item	Amount Owed	Wife Will Pay	Husband Will Pay
Stereo set	150		150
Color TV	100		100
Golf clubs	50		50
Dr. R. C. Himple	74		74
Sam's Drugs	32		32
College loan	500		500
Cogwell's charge account	275	275	
Mister Charge account	68		68
Green's Furniture	123	123	
Dr. Irving Roberts	37	37	
Wife's parents	150	150	
<b>TOTAL</b>	1559	585	974
		<b>Wife's Share of Community Obligations</b>	<b>Husband's Share of Community Obligations</b>

HUSBAND:	CASE NUMBER:
WIFE:	

VII. WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION

(This side of the worksheet will help you to determine whether you are **eligible** to use the summary dissolution. The total amount of your community obligations (debts) cannot be more than \$5,000. Do not include car or truck loans. Be sure you include any other debts you took on while you were living together as husband and wife. List the amount you owe on the items from your **Worksheet for Determining Value and Division of Community Property**. Then add all other debts and bills including loans, charge accounts, medical bills, and taxes you owe.)

(This side of the worksheet will help you decide on a fair way to divide up your community obligations. You will use this information in preparing a **property settlement agreement**.)

Item	Amount Owed	Wife Will Pay	Husband Will Pay
TOTAL			
		Wife's Share of Community Obligations	Husband's Share of Community Obligations

## **VIII. WHAT SHOULD BE INCLUDED IN THE PROPERTY SETTLEMENT AGREEMENT?**

A property settlement agreement should contain at least five parts:

### **I. Preliminary Statement**

This part identifies the husband and wife, states that the marriage is being ended, and states that both husband and wife agree on the details of the agreement.

### **II. Division of Community Property**

This part has two sections:

What the wife receives.

What the husband receives.

### **III. Division of Community Obligations**

This part has two sections:

The amount the wife must pay and whom she must pay it to.

The amount the husband must pay and whom he must pay it to.

### **IV. Waiver of Spousal Support**

This part states that each spouse gives up all rights of financial support from the other.

### **V. Date and Signature**

Both husband and wife must write the date and sign the agreement.

**An example of a property settlement agreement is found on pages 14–16.**

## IX. SAMPLE PROPERTY SETTLEMENT AGREEMENT

Below is a sample of an acceptable **property settlement agreement**. You may use it as a model for your own agreement, if you wish. You can find a fill-in-the blanks version of this agreement at [www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp) in the section on summary dissolution.

- The parts that are underlined will fit most cases. You can copy these parts for your own agreement. Since many of the words have special meanings in the law, you may wish to talk to a lawyer if you want to change the words.
- The parts printed in regular type (not underlined) are based on an imaginary couple. You will need to replace these parts with items that apply to your situation.
- The numbered notes in italics in the right-hand column are **not** part of the agreement. They are there to help you understand it. (You will not need the superscript numbers in your agreement.)

Remember, you can divide the items any way you want. As long as you both agree, the court will accept it. If you cannot agree about the division of your property and debts, you should file a regular dissolution.\*

### PROPERTY SETTLEMENT AGREEMENT

I. We are Waldo P. Smedlap, hereafter called Husband,<sup>1</sup> and Lydia  
T. Smedlap, hereafter called Wife. We were married on October  
7, 2003, and separated on December 5, 2004. Because  
irreconcilable differences<sup>2</sup> have caused the permanent  
breakdown of our marriage, we have made this agreement  
together to settle once and for all what we owe to each other and  
what we can expect from each other. Each of us states here that  
nothing has been held back and that we have honestly included  
everything we could think of in listing the money and goods that  
we own; and each of us states here that we believe the other  
one has been open and honest in writing up this agreement.  
Each of us agrees to sign and exchange any papers that might  
be needed to complete this agreement.

<sup>1</sup> *Wherever the word Husband appears in this agreement, it will stand for Waldo P. Smedlap; wherever the word Wife appears, it will stand for Lydia T. Smedlap.*

<sup>2</sup> *This means there are problems in your marriage that you think can never be solved. **Irreconcilable differences** are the only legal grounds for getting a **summary dissolution**.*

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\* At the trial, a judge would set a value on and divide community property and debts into two approximately equal parts as provided by California law.



Each of us also understands that even after a *Joint Petition for Summary Dissolution of Marriage* is filed, this entire agreement will be canceled if either of us revokes the dissolution proceeding.<sup>3</sup>

<sup>3</sup> *This means that the property agreement is a part of the divorce proceeding. If either of you decides to stop the dissolution proceedings by turning in a Notice of Revocation of Petition for Summary Dissolution (form FL-830) (see page 19), this entire agreement will be cancelled.*

## II. Division of Community Property<sup>4</sup>

We divide our community property as follows:

<sup>4</sup> *Community property is property that you own as a couple (see page 2).*

### 1. Husband transfers to Wife as her sole and separate property:

*If you have no community property, replace part II with the simple statement **"We have no community property."***

- A. All household furniture and furnishings located at her apartment at 180 Needlepoint Way, San Francisco.<sup>5</sup>
- B. All rights to cash in savings account at Home Savings.
- C. All cash value in life insurance policy insuring life of Wife through Sun Valley Life Insurance.
- D. All retirement and pension plan benefits earned by Wife during marriage.
- E. Two U.S. Savings Bonds, Series E.
- F. Wife's jewelry.
- G. 1972 Chevrolet 4-door sedan.

<sup>5</sup> *If the furniture and household goods in one apartment are to be divided, then they may have to be listed item by item.*

### 2. Wife transfers to Husband as his sole and separate property:

- A. All household furniture and furnishings located at his apartment on 222 Bond Street, San Francisco.
- B. All retirement and pension plan benefits earned by Husband during marriage.
- C. Season tickets to Golden State Terriers basketball games.
- D. One stereo set.
- E. One set of Jock Nicklaus golf clubs.
- F. One RAC color television.
- G. 1973 Ford station wagon.
- H. One pet parrot named Arthur, plus cage and parrot food.
- I. All rights to cash in checking account in Bank of America.

III. Division of Community Property (Debts)<sup>6</sup>

1. Husband will pay the following debts and will not at any time hold Wife responsible for them:

- A. Mister Charge account.
- B. Debt to Dr. R. C. Himple.
- C. Debt to Sam's Drugs.
- D. Debt to UC Berkeley for college education loan to Husband.<sup>7</sup>
- E. Debt to Golf Store on golf clubs.
- F. Debt to Everything Electronics for color tv and stereo set..

2. Wife will pay the following debts and will not at any time hold Husband responsible for them:

- A. Cogwell's charge account.
- B. Debt to Wife's parents, Mr. and Mrs. Joseph Smith.
- C. Debt to Green's Furniture.
- D. Debt to Dr. Irving Roberts.

IV. Waiver of Spousal Support<sup>8</sup>

Each of us waives any claim for spousal support now and for all time.

V. Dated: \_\_\_\_\_ Dated: \_\_\_\_\_

\_\_\_\_\_  
Waldo P. Smedlap

\_\_\_\_\_  
Lydia T. Smedlap

<sup>6</sup> If you have no unpaid debts, replace part III with the simple statement **"We have no unpaid community obligations."**

<sup>7</sup> A general rule for dividing debts is to give the debt over to the person who benefited most from the item. In the sample agreement, since the Husband received the education, he should pay off the loan.

<sup>8</sup> You give up the right to have your spouse support you.

## X. WHAT STEPS DO YOU HAVE TO TAKE TO GET A SUMMARY DISSOLUTION?

If after reviewing the information in this booklet you feel your marriage will qualify for a summary dissolution, you should carefully go through the following 15 steps. You can fill out the forms, worksheets, and agreements in the summary dissolution section:

- For free online at [www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)
- With a typewriter
- With neat printing

1. \_\_\_\_ Turn to page 8 and complete the Worksheet for Determining Value of Separate Property. See page 7 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse and keep one for your records.
2. \_\_\_\_ Turn to page 10 and complete the Worksheet for Determining Value and Division of Community Property. See page 9 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse and keep one for your records.
3. \_\_\_\_ Turn to page 12 and complete the Worksheet for Determining Community Obligations and Their Division. See page 11 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse and keep one for your records.
4. \_\_\_\_ Fill out an *Income and Expense Declaration* (form FL-150). You both need to fill out this form and give it to your spouse before you sign your property settlement agreement or complete your divorce. Make one extra copy of your form after it has been completed. Give one copy to your spouse and keep one for your records.
5. \_\_\_\_ Type or print your property settlement agreement if you have any property or debts to divide. Both of you must date and sign it. Make two extra copies. See pages 13–16 for an example and instructions. You can also find a version that you can fill online at [www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp) in the information on summary dissolution
6. \_\_\_\_ Fill out a *Joint Petition for Summary Dissolution of Marriage* (form FL-800). *Both* of you must sign and date this petition. Make two extra copies of this form. (This is the form you need to **START** the process.)  
  
***Note:** When signing your joint petition and your property settlement agreement, you are signing these documents under penalty of perjury, which is the same as being sworn to testify in court. You may not sign each other's name. These forms must be signed in California or in a state that authorizes this procedure; otherwise an affidavit is required.*
7. \_\_\_\_ Make three sets of forms by gathering together a copy of your property settlement agreement and a copy of your *Joint Petition for Summary Dissolution of Marriage* (form FL-800). Staple each set together.
8. \_\_\_\_ Make one extra copy of a blank *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820). (This is the form you need to **COMPLETE** the process.). Each of you should keep one copy for future use. See instructions later in this section.
9. \_\_\_\_ Make one extra copy of a blank *Notice of Revocation of Petition for Summary Dissolution* (form FL-830). (This is the form you would need to **STOP** the process.) You may wish to use it during the waiting period if you change your mind and want to stop the process. You should keep one copy. See instructions for more information.
10. \_\_\_\_ Bring all of your copies to the superior court clerk's office. The location of your superior court clerk's office can be found in the phone book or online at [www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp). The clerk will stamp the date on all copies, will keep one copy of each document, and will return the other two to you. One is for the husband and one is for the wife.

11. \_\_\_\_ Pay the superior court clerk's filing fee.
12. \_\_\_\_ Put your copies of all the documents in a safe place.
13. \_\_\_\_ Wait for six months.
14. \_\_\_\_ After the waiting period, if you have decided to go through with the dissolution and neither of you has stopped it by filing the revocation form, fill out a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820) and make two extra copies of the completed form.
15. \_\_\_\_ Bring all copies to the superior court clerk, along with two pre-addressed and stamped envelopes. One must be addressed to you and the other to your spouse.

The clerk will: (1) take the document, (2) record it in the court's records, (3) keep one copy, and (4) send one of the other two copies to you and one to your spouse.

On the day the copies of the *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* are mailed to you:

- (a) Your marriage is ended;
- (b) The agreements you made in your property settlement agreement are binding—you will then own the property assigned to you, and you will have to pay the bills assigned to you;
- (c) Except for those agreements, you have no further obligations to each other; and
- (d) You are legally free to remarry.

**NOTICE:** The filing of the *Joint Petition for Summary Dissolution of Marriage* (form FL-800) must be done by both husband and wife. The filing of the *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820) can be done by either husband or wife.

**REMEMBER:** Either of you can stop the process by filling out a *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) and bringing it to the superior court clerk, either during the six-month waiting period or at any time before the other person files a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820).

## XI. WHAT YOU SHOULD KNOW ABOUT REVOCATION

It is important to realize that the *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) is not just another form you are supposed to fill out and turn in.

**Do not fill it out and do not bring it to the superior court clerk unless you want to stop the divorce!**

### **What is the notice of revocation for?**

This is the form you need if you want to stop the divorce. Revoking the agreement is canceling or stopping it.

### **What reasons are there for revoking?**

There are three reasons you might have for wanting to stop the summary dissolution:

1. You have decided to return to your spouse and continue the marriage;
2. You want to change over to the regular dissolution as a better way of getting your divorce; or
3. The wife discovers she is pregnant.

### **Why might you want to change over to the regular dissolution?**

You may come to believe that you will get a better settlement if you go to court than the agreement you originally made with your spouse. (Maybe, after thinking it over, you feel you aren't receiving a fair share of the community property.)

### **How do you do it?**

At the time you picked up the joint petition forms, you and your spouse also received three copies of the *Notice of Revocation of Petition for Summary Dissolution* (form FL-830). Fill out all three copies of that form, sign them, and bring them to the superior court clerk's office. You can do this alone. This form does not need your spouse's signature.

If you do this at any time during the six-month waiting period, you will stop the divorce proceeding.

### **Can the dissolution be stopped once the waiting period is over?**

If neither you nor your spouse has yet filed a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820), you can still revoke the dissolution after the waiting period by filing the revocation form.

### **If you change over to a regular dissolution, what happens to the part of the waiting period that has passed?**

You can apply the amount of time you waited on the summary dissolution to your regular dissolution. For example, if four months went by before you decided to revoke the summary dissolution, the waiting period for the regular dissolution will be shortened by four months.

However, you can save this time **only** if you file for a regular dissolution within 90 days of revoking the summary dissolution.

## **XII. SHOULD YOU SEE A LAWYER?**

### **Must you have a lawyer to get a divorce with the summary dissolution?**

No. You can do the whole thing by yourselves. But it would be wise to see an attorney before you decide to do it yourself. You should not rely on this booklet only. It is not intended to take the place of a lawyer.

### **If you want legal advice, does that mean you have to hire a lawyer?**

No. You may hire a lawyer, of course, but you can also just visit a lawyer once or twice for advice on how to carry out the dissolution proceeding. Don't be afraid to ask the lawyer in advance what fee will be charged. It may be surprisingly inexpensive to have a lawyer handle your divorce.

### **Do you have to accept your attorney's advice?**

No, you don't. And if you are not pleased with what one attorney advises, you can feel free to go to another one.

### **How can an attorney help you with the summary dissolution?**

First, an attorney can advise you, on the basis of your personal situation, whether you ought to use the regular dissolution rather than the summary dissolution.

Second, an attorney can read your property settlement agreement to help you figure out if you've thought of everything you should have. (It is easy to forget things you don't see very often, such as savings bonds and safe deposit boxes.)

Third, there are many situations in which it is not easy to figure out what should count as community property and what should count as separate property. Suppose one of you had money before the marriage and put it into a bank account in both of your names, then both of you used money from that account. It may not be easy to decide how the money remaining in that account should be divided. An attorney can advise you on how to make these decisions.

Fourth, there may be special situations in which your property settlement is not covered by the sample agreement on pages 14–16.

An attorney can help you put the agreement in words that are legally precise and cannot be challenged or misinterpreted later.

### **Where can you find an attorney?**

The yellow pages of your telephone directory will list, under "Attorneys" or "Attorney Referral Service," organizations that can help you find a lawyer. In many cases you will be able to find an attorney who will charge only a small fee for your first visit. You can get information about free or low-cost legal services through the county bar association in your county. You can find information about certified lawyer referral services at [www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp).

### **XIII. SOME GENERAL INFORMATION**

#### **What about income taxes?**

If you have filed a joint tax return, you will still both be responsible for paying any unpaid taxes even after your divorce.

If you are receiving a tax refund, you should agree in the property settlement agreement on how it should be divided.

The amount of money that you will owe, or that will be taken out of your paycheck, for income taxes will be greater after you are single again. You should prepare yourself for a bigger tax obligation.

It would be a good idea to consult the Internal Revenue Service or a tax expert on how the divorce is going to affect your taxes. You should probably do this before you make your property settlement agreement.

#### **What about bank accounts and credit cards?**

If you have a joint bank account, it might be a good idea to close it down when you separate and get two individual bank accounts. That way it will be easier to keep your money separate.

If you have credit card accounts that you have both been using, you should destroy the cards and take out separate accounts.

#### **What about cars?**

If both of your names are on a title to a car and you agree that one of you is going to own the car, you need to take action to change the ownership. You should call or visit the Department of Motor Vehicles to find out how to do that. You should also talk to the lender to get the debt into one person's name and change the insurance coverage after both the title and debt are transferred.

#### **What if your spouse doesn't pay his or her debts?**

If your spouse doesn't pay a debt that is his or her responsibility, the person who loaned the money may be able to collect it from you. But then a court may order your spouse to reimburse you. If you have any reason to worry about this, a lawyer can explain your rights to you.

#### **Can you take back your former name?**

If either you or your spouse changed your name when you were married, the person who took a new name has the right to give up that name and get his or her former name back. You can do this by requesting it in the joint petition. If you didn't request this in the joint petition, you can still do it in the request for final judgment. But in that case the spouse requesting his or her former name must sign the request for final judgment. The other spouse can't make you change your name.

#### **What if I'm not happy with my final judgment?**

When your divorce is final, all your rights and duties connected with your marriage have ended, and you cannot appeal. But if you decide later that you were cheated or pressured by your spouse, or if you believe that a mistake was made in the paperwork connected with the divorce, the court may be able to set aside the divorce. An attorney can explain your rights.





ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name and Address</i> ):   TELEPHONE NO.:  BAR NO.: ATTORNEY FOR ( <i>Name</i> ):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</b> <input type="checkbox"/> 800 S. VICTORIA AVE., VENTURA CA. 93009 <input type="checkbox"/> 3855-F ALAMO ST. SIMI VALLEY, CA. 93063-2110	
PLAINTIFF/PETITIONER:  DEFENDANT/RESPONDENT:	
<b>DECLARATION FOR COURT ASSIGNMENT</b> <i>(Family Law and Unlawful Detainer and all other General Civil actions <b>ONLY</b>)</i>	CASE NUMBER:

Family Law, Domestic Violence, Paternity, Harassment, Unlawful Detainer, and all other General Civil actions presented for filing **MUST** be accompanied by this declaration.

The undersigned declares that the above entitled matter is filed for proceedings in the:

☐ **East County Division**, 3855-F Alamo St., Simi Valley, CA 93063 (Based upon Zip Code designation.)

<input type="checkbox"/> 91301	<input type="checkbox"/> 91302	<input type="checkbox"/> 91304	<input type="checkbox"/> 91307	<input type="checkbox"/> 91320 - <u>Excluding Family Law</u>
<input type="checkbox"/> 91360	<input type="checkbox"/> 91361	<input type="checkbox"/> 91362	<input type="checkbox"/> 91377	<input type="checkbox"/> 93020 <input type="checkbox"/> 93021
<input type="checkbox"/> 93062	<input type="checkbox"/> <b>93063</b>	<input type="checkbox"/> 93064	<input type="checkbox"/> 93065	<input type="checkbox"/> 91363

☐ **Ventura Division**, 800 S. Victoria Ave., Ventura, CA 93009 (Venue does NOT fall within the Zip Codes above but is within Ventura County.)

For the checked reason:

<input type="checkbox"/> Contract	Performance in the division is expressly provided for
<input type="checkbox"/> Equity	The cause of action arose within the division
<input type="checkbox"/> Eminent Domain	The property is located within the division
<input type="checkbox"/> Family Law	Plaintiff, defendant, petitioner or respondent resides within the division
<input type="checkbox"/> Harassment	Plaintiff, defendant, petitioner or respondent resides with the division
<input type="checkbox"/> Mandate	The defendant functions wholly within the division
<input type="checkbox"/> Name Change	The petitioner resides within the division
<input type="checkbox"/> Paternity	Plaintiff, defendant, petitioner or respondent resides within the division.
<input type="checkbox"/> Personal Injury	The injury occurred within the division or the defendant resides within the division
<input type="checkbox"/> Personal Property	The property is located within the division or the defendant resides within the division
<input type="checkbox"/> Prohibition	The defendant functions wholly within the division
<input type="checkbox"/> Review	The defendant functions wholly within the division
<input type="checkbox"/> Title to Real Property	The property is located within the division
<input type="checkbox"/> Unlawful Detainer	The property is located within the division
<input type="checkbox"/> Domestic Violence	Plaintiff, defendant, petitioner or respondent resides within the division
<input type="checkbox"/> Civil not otherwise specified	_____

(Venue Rule Applicable)

The address of the accident, performance, party, detention, place of business, or other factor which qualifies this case for filing in the division:

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Upon information and belief, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_ Signature of Attorney/Party \_\_\_\_\_

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name and Address</i> ): NO.:	TELEPHONE NO.:	<b>FOR COURT USE ONLY</b>
ATTORNEY FOR ( <i>Name</i> ):		
<b>COURT NAME: SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</b>		
PETITIONER/PLAINTIFF:		CASE NUMBER:
RESPONDENT/DEFENDANT:		
<b>CONSENT FOR COURT ASSIGNMENT</b> <i>(Family Law)</i>		

The undersigned hereby consents that the cause titled and numbered above may be tried by **Bruce A. Young** Court Commissioner of the Ventura County Superior Court, as temporary judge, in accordance with Article 6, Section 21 of the Constitution of the State of California.

It is understood by the undersigned that by order of the Presiding Judge of the Ventura County Superior Court, Commissioner Bruce A. Young has been appointed to act as temporary judge to try the above referenced case, hear and decide all motions, and make any orders including sentencing connected with this case. It is understood that Commissioner Bruce A. Young, has been appointed to try the case referred to, and has taken the necessary oath of office to try the case as temporary judge.

Dated: \_\_\_\_\_

Signature of litigant or attorney

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

1. We have read and understand the *Summary Dissolution Information* booklet (form FL-810).
2. We were married on (date):  
**(A summary dissolution of your marriage will not be granted if you file this petition more than five years after the date of your marriage.)**
3. One of us has lived in California for at least six months and in the county of filing for at least three months preceding the date of filing.
4. There are no minor children who were born of our relationship before or during our marriage or adopted by us during our marriage. The wife, to her knowledge, is not pregnant.
5. Neither of us has an interest in any real property anywhere. **(You may have a lease for a residence in which one of you lives. It must terminate within a year from the date of filing this petition. The lease must not include an option to purchase.)**
6. Except for obligations with respect to automobiles, on obligations incurred by either or both of us during our marriage, we owe no more than \$5,000.
7. The total fair market value of community property assets, not including what we owe on those assets and not including automobiles, is less than \$33,000.
8. Neither of us has separate property assets, not including what we owe on those assets and not including automobiles, in excess of \$33,000.
9. We have each filled out and given the other an *Income and Expense Declaration* (form FL-150).
10. We have each filled out and given the other copies of the worksheets on pages 8, 10, and 12 of the *Summary Dissolution Information* booklet (form FL-810) used in determining the value and division of our property. We have told each other in writing about any investment, business, or other income-producing opportunities that came up after we were separated based on investments made or work done during the marriage and before our separation. This meets the requirements of preliminary declaration of disclosure.
11. (Check whichever statement is true.)
  - a. ☐ We have no community assets or liabilities.
  - b. ☐ We have signed an agreement listing and dividing all our community assets and liabilities and have signed all the papers necessary to carry out our agreement. A copy of our agreement is attached to this petition.
12. Irreconcilable differences have caused the irremediable breakdown of our marriage, and each of us wishes to have the court dissolve our marriage without our appearing before a judge.
13. ☐ The wife desires to have her former name restored. Her former name is (specify name):  
☐ The husband desires to have his former name restored. His former name is (specify name):

HUSBAND:	CASE NUMBER:
WIFE:	

14. Upon entry of judgment of summary dissolution of marriage, we each give up our rights to appeal and to move for a new trial.

15. **Each of us forever gives up any right to spousal support from the other.**

16. We agree that this matter may be determined by a commissioner sitting as a temporary judge.

17. **Mailing address of husband**

Name:

Address:

City:

State:

Zip Code:

18. **Mailing address of wife**

Name:

Address:

City:

State:

Zip Code:

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached documents are true and correct.

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached documents are true and correct.

Date:



(SIGNATURE OF HUSBAND)

Date:



(SIGNATURE OF WIFE)

**You have a right to revoke this petition any time before a request for judgment is filed. You will remain married until one of you files for and obtains a judgment of dissolution. You may not request a judgment of dissolution sooner than six months from the date this petition is filed.**

**NOTICE:** Dissolution may automatically cancel the rights of a spouse under the other spouse's will, trust, retirement benefit plan, power of attorney, pay on death bank account, transfer on death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the rights of a spouse as beneficiary of the other spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, and credit reports to determine whether they should be changed or whether you should take any other actions. However, some changes may require agreement of your spouse or a court order. (See Family Code sections 231–235.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address):  _____  TELEPHONE NO. : FAX NO. (Optional): ATTORNEY FOR (Name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<b>MARRIAGE OF PETITIONERS</b> HUSBAND:  WIFE:	
<b>REQUEST FOR JUDGMENT, JUDGMENT OF DISSOLUTION OF MARRIAGE, AND NOTICE OF ENTRY OF JUDGMENT</b>	CASE NUMBER:

1. The *Joint Petition for Summary Dissolution of Marriage* (form FL-800) was filed on (date):
2. No notice of revocation has been filed and the parties have not become reconciled.
3. I request that judgment of dissolution of marriage be
  - a. ☐ entered to be effective now.
  - b. ☐ entered to be effective (nunc pro tunc) as of (date):  
for the following reason:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)		(SIGNATURE OF HUSBAND OR WIFE)
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4. ☐ Husband, ☐ Wife, who did **not** request his or her own former name be restored when he or she signed the joint petition, now requests that it be restored. The applicant's former name is:

Date:

(TYPE OR PRINT NAME)		(SIGNATURE OF PARTY WISHING TO HAVE HIS OR HER NAME RESTORED)
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(For Court Use Only)

### JUDGMENT OF DISSOLUTION OF MARRIAGE

**5. THE COURT ORDERS**

- a. A judgment of dissolution of marriage will be entered, and the parties are restored to the status of unmarried persons.
- b. ☐ The judgment of dissolution of marriage will be entered nunc pro tunc as of (date):
- c. ☐ Wife's former name is restored (*specify*):
- d. ☐ Husband's former name is restored (*specify*):
- e. Husband and wife must comply with any agreement attached to the petition.

Date:

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

**NOTICE:** Dissolution may automatically cancel the rights of a spouse under the other spouse's will, trust, retirement benefit plan, power of attorney, pay on death bank account, transfer on death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the rights of a spouse as beneficiary of the other spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement benefit plans, and credit reports to determine whether they should be changed or whether you should take any other actions.

HUSBAND:  WIFE:	CASE NUMBER:
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### NOTICE OF ENTRY OF JUDGMENT

6. You are notified that a judgment of dissolution of marriage was entered on *(date)*:

Date:

Clerk, by \_\_\_\_\_, Deputy

### CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Notice of Entry of Judgment* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed

at *(place)*:

California,

on *(date)*:

Date:

Clerk, by \_\_\_\_\_, Deputy

HUSBAND'S ADDRESS

WIFE'S ADDRESS

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**FOR COURT USE ONLY**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>			
STREET ADDRESS:			
MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
<b>MARRIAGE OF</b>			
PETITIONER:			
RESPONDENT:			
<b>NOTICE OF REVOCATION OF PETITION FOR SUMMARY DISSOLUTION</b>			CASE NUMBER:

Notice is given that the undersigned terminates the summary dissolution proceedings and revokes the *Joint Petition for Summary Dissolution of Marriage* (form FL-800) filed on (date):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

COMPLETE THIS NOTICE, EXCEPT FOR THE PLACE AND DATE OF MAILING AND CLERK'S NAME. SUBMIT THE ORIGINAL AND TWO COPIES TO THE COUNTY CLERK'S OFFICE. IF NO REQUEST FOR JUDGMENT HAS BEEN FILED, THE CLERK WILL NOTIFY YOU THAT THIS NOTICE OF REVOCATION HAS BEEN FILED BY COMPLETING THE CERTIFICATE BELOW.

**CLERK'S CERTIFICATE OF MAILING**

I certify that I am not a party to this cause and that a copy of the foregoing was mailed first class postage prepaid, in a sealed envelope as shown below, and that the mailing of the foregoing and execution of this certificate occurred at  
(place): California, on

(Date):

Clerk, by \_\_\_\_\_, Deputy

Name and address of husband

Name and address of wife

## NOTICE

IF THE CLERK'S CERTIFICATE OF MAILING ABOVE HAS BEEN DATED AND SIGNED BY THE CLERK, THIS SUMMARY DISSOLUTION PROCEEDING IS ENDED. YOU ARE STILL MARRIED.





# NOTICE

In addition to following the steps to get a summary dissolution listed on pages 20 and 21 of the booklet, both husband and wife must complete either an

**Income and Expense Declaration (FL-150)**  
**Or**  
**Financial Statement (FL-155)**

To determine which to file, read the Instructions on page 2 of the Financial Statement. This will help you make that decision.

**Each of you must complete one of the forms.**



Your name and address or attorney's name and address:     ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	TELEPHONE NO.:	<b>FOR COURT USE ONLY</b>
<b>FINANCIAL STATEMENT (SIMPLIFIED)</b>		CASE NUMBER:

**NOTICE: Read page 2 to find out if you qualify to use this form and how to use it.**

1. a. ☐ My only source of income is TANF, SSI, or GA/GR.  
 b. ☐ I have applied for TANF, SSI, or GA/GR.
2. I am the parent of the following number of natural or adopted children from this relationship \_\_\_\_\_
3. a. The children from this relationship are with me this amount of time \_\_\_\_\_ %  
 b. The children from this relationship are with the other parent this amount of time \_\_\_\_\_ %  
 c. Our arrangement for custody and visitation is *(specify, using extra sheet if necessary)*:
4. My tax filing status is: ☐ single ☐ married filing jointly ☐ head of household ☐ married filing separately.
5. My current gross income *(before taxes)* per month is \_\_\_\_\_ \$  
 This income comes from the following:  

**Attach 1**  
**copy of pay**  
**stubs for**  
**last 2**  
**months here**  
**(cross out**  
**social**  
**security**  
**numbers)**

☐ Salary/wages: Amount before taxes per month \_\_\_\_\_ \$  
☐ Retirement: Amount before taxes per month \_\_\_\_\_ \$  
☐ Unemployment compensation: Amount per month \_\_\_\_\_ \$  
☐ Workers' compensation: Amount per month \_\_\_\_\_ \$  
☐ Social security: ☐ SSI ☐ Other Amount per month \_\_\_\_\_ \$  
☐ Disability: Amount per month \_\_\_\_\_ \$  
☐ Interest income ( from bank accounts or other): Amount per month \_\_\_\_\_ \$

 I have no income other than as stated in this paragraph.
6. I pay the following monthly expenses for the children in this case:
  - a. ☐ Day care or preschool to allow me to work or go to school \_\_\_\_\_ \$
  - b. ☐ Health care not paid for by insurance \_\_\_\_\_ \$
  - c. ☐ School, education, tuition, or other special needs of the child \_\_\_\_\_ \$
  - d. ☐ Travel expenses for visitation \_\_\_\_\_ \$
7. ☐ There are *(specify number)* \_\_\_\_\_ other minor children of mine living with me. Their monthly expenses that I pay are \_\_\_\_\_ \$
8. I spend the following average monthly amounts *(please attach proof)*:
  - a. ☐ Job-related expenses that are not paid by my employer *(specify reasons for expenses on separate sheet)* \_\_\_\_\_ \$
  - b. ☐ Required union dues \_\_\_\_\_ \$
  - c. ☐ Required retirement payments (not social security, FICA, 401k or IRA) \_\_\_\_\_ \$
  - d. ☐ Health insurance costs \_\_\_\_\_ \$
  - e. ☐ Child support I am paying for other minor children of mine who are not living with me \_\_\_\_\_ \$
  - f. ☐ Spousal support I am paying because of a court order for another relationship \_\_\_\_\_ \$
  - g. ☐ Monthly housing costs: ☐ rent or ☐ mortgage \_\_\_\_\_ \$  
 If mortgage: interest payments \$ \_\_\_\_\_ real property taxes \$ \_\_\_\_\_
9. Information concerning ☐ my current employment ☐ my most recent employment:
 

Employer:  
 Address:  
 Telephone number:  
 My occupation:  
 Date work started:  
 Date work stopped *(if applicable)*: \_\_\_\_\_ What was your gross income *(before taxes)* before work stopped?: \_\_\_\_\_

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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10. My estimate of the other party's gross monthly income (*before taxes*) is ..... \$ \_\_\_\_\_
11. My current spouse's monthly income (*before taxes*) is ..... \$ \_\_\_\_\_
12. Other information I want the court to know concerning child support in my case (*attach extra sheet with the information*).
13. ☐ I am attaching a copy of page 3 of form FL-150, *Income and Expense Declaration* showing my expenses.

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date:

(TYPE OR PRINT NAME)		(SIGNATURE OF DECLARANT)
		<input type="checkbox"/> PETITIONER/PLAINTIFF <input type="checkbox"/> RESPONDENT/DEFENDANT

## INSTRUCTIONS

**Step 1: Are you eligible to use this form?** *If your answer is YES to any of the following questions, you may NOT use this form:*

- Are you asking for spousal support (alimony) or a change in spousal support?
- Is your spouse or former spouse asking for spousal support (alimony) or a change in spousal support?
- Are you asking the other party to pay your attorney fees?
- Is the other party asking you to pay his or her attorney fees?
- Do you receive money (income) from any source other than the following?
 

• Welfare (such as TANF, GR, or GA)	• Interest
• Salary or wages	• Workers' compensation
• Disability	• Social security
• Unemployment	• Retirement
- Are you self-employed?

If you are eligible to use this form and choose to do so, you do not need to complete the *Income and Expense Declaration* (form FL-150). Even if you are eligible to use this form, you may choose instead to use the *Income and Expense Declaration* (form FL-150).

**Step 2: Make 2 copies of each of your pay stubs for the last two months.** If you received money from other than wages or salary, include copies of the pay stub received with that money.

Privacy notice: If you wish, you may cross out your social security number if it appears on the pay stub, other payment notice or your tax return

**Step 3: Make 2 copies of your most recent federal income tax form.**

**Step 4: Complete this form with the required information.** Type the form if possible or complete it neatly and clearly in black ink. If you need additional room, please use plain or lined paper, 8½-by-11", and staple to this form.

**Step 5: Make 2 copies of each side of this completed form and any attached pages.**

**Step 6: Serve a copy on the other party.** Have someone other than yourself mail to the attorney for the other party, the other party, and the local child support agency, if they are handling the case, 1 copy of this form, 1 copy of each of your stubs for the last two months, and 1 copy of your most recent federal income tax return.

**Step 7: File the original with the court.** Staple this form with 1 copy of each of your pay stubs for the last two months. Take this document and give it to the clerk of the court. Check with your local court about how to submit your return.

**Step 8: Keep the remaining copies of the documents for your file.**

**Step 9: Take the copy of your latest federal income tax return to the court hearing.**

**It is very important that you attend the hearings scheduled for this case. If you do not attend a hearing, the court may make an order without considering the information you want the court to consider.**

Your name and address or attorney's name and address:     ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	TELEPHONE NO.:	<b>FOR COURT USE ONLY</b>
<b>FINANCIAL STATEMENT (SIMPLIFIED)</b>		CASE NUMBER:

**NOTICE: Read page 2 to find out if you qualify to use this form and how to use it.**

1. a. ☐ My only source of income is TANF, SSI, or GA/GR.  
 b. ☐ I have applied for TANF, SSI, or GA/GR.
2. I am the parent of the following number of natural or adopted children from this relationship \_\_\_\_\_
3. a. The children from this relationship are with me this amount of time \_\_\_\_\_ %  
 b. The children from this relationship are with the other parent this amount of time \_\_\_\_\_ %  
 c. Our arrangement for custody and visitation is *(specify, using extra sheet if necessary)*:
4. My tax filing status is: ☐ single ☐ married filing jointly ☐ head of household ☐ married filing separately.
5. My current gross income *(before taxes)* per month is \_\_\_\_\_ \$  
 This income comes from the following:  

**Attach 1**  
**copy of pay**  
**stubs for**  
**last 2**  
**months here**  
**(cross out**  
**social**  
**security**  
**numbers)**

☐ Salary/wages: Amount before taxes per month \_\_\_\_\_ \$  
☐ Retirement: Amount before taxes per month \_\_\_\_\_ \$  
☐ Unemployment compensation: Amount per month \_\_\_\_\_ \$  
☐ Workers' compensation: Amount per month \_\_\_\_\_ \$  
☐ Social security: ☐ SSI ☐ Other Amount per month \_\_\_\_\_ \$  
☐ Disability: Amount per month \_\_\_\_\_ \$  
☐ Interest income ( from bank accounts or other): Amount per month \_\_\_\_\_ \$

 I have no income other than as stated in this paragraph.
6. I pay the following monthly expenses for the children in this case:
  - a. ☐ Day care or preschool to allow me to work or go to school \_\_\_\_\_ \$
  - b. ☐ Health care not paid for by insurance \_\_\_\_\_ \$
  - c. ☐ School, education, tuition, or other special needs of the child \_\_\_\_\_ \$
  - d. ☐ Travel expenses for visitation \_\_\_\_\_ \$
7. ☐ There are *(specify number)* \_\_\_\_\_ other minor children of mine living with me. Their monthly expenses that I pay are \_\_\_\_\_ \$
8. I spend the following average monthly amounts *(please attach proof)*:
  - a. ☐ Job-related expenses that are not paid by my employer *(specify reasons for expenses on separate sheet)* \_\_\_\_\_ \$
  - b. ☐ Required union dues \_\_\_\_\_ \$
  - c. ☐ Required retirement payments (not social security, FICA, 401k or IRA) \_\_\_\_\_ \$
  - d. ☐ Health insurance costs \_\_\_\_\_ \$
  - e. ☐ Child support I am paying for other minor children of mine who are not living with me \_\_\_\_\_ \$
  - f. ☐ Spousal support I am paying because of a court order for another relationship \_\_\_\_\_ \$
  - g. ☐ Monthly housing costs: ☐ rent or ☐ mortgage \_\_\_\_\_ \$  
 If mortgage: interest payments \$ \_\_\_\_\_ real property taxes \$ \_\_\_\_\_
9. Information concerning ☐ my current employment ☐ my most recent employment:  
 Employer:  
 Address:  
 Telephone number:  
 My occupation:  
 Date work started:  
 Date work stopped *(if applicable)*:

What was your gross income *(before taxes)* before work stopped?:

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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10. My estimate of the other party's gross monthly income (*before taxes*) is ..... \$ \_\_\_\_\_
11. My current spouse's monthly income (*before taxes*) is ..... \$ \_\_\_\_\_
12. Other information I want the court to know concerning child support in my case (*attach extra sheet with the information*).
13. ☐ I am attaching a copy of page 3 of form FL-150, *Income and Expense Declaration* showing my expenses.

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date:

(TYPE OR PRINT NAME)		(SIGNATURE OF DECLARANT)
		<input type="checkbox"/> PETITIONER/PLAINTIFF <input type="checkbox"/> RESPONDENT/DEFENDANT

## INSTRUCTIONS

**Step 1: Are you eligible to use this form?** *If your answer is YES to any of the following questions, you may NOT use this form:*

- Are you asking for spousal support (alimony) or a change in spousal support?
- Is your spouse or former spouse asking for spousal support (alimony) or a change in spousal support?
- Are you asking the other party to pay your attorney fees?
- Is the other party asking you to pay his or her attorney fees?
- Do you receive money (income) from any source other than the following?
 

• Welfare (such as TANF, GR, or GA)	• Interest
• Salary or wages	• Workers' compensation
• Disability	• Social security
• Unemployment	• Retirement
- Are you self-employed?

If you are eligible to use this form and choose to do so, you do not need to complete the *Income and Expense Declaration* (form FL-150). Even if you are eligible to use this form, you may choose instead to use the *Income and Expense Declaration* (form FL-150).

**Step 2: Make 2 copies of each of your pay stubs for the last two months.** If you received money from other than wages or salary, include copies of the pay stub received with that money.

Privacy notice: If you wish, you may cross out your social security number if it appears on the pay stub, other payment notice or your tax return

**Step 3: Make 2 copies of your most recent federal income tax form.**

**Step 4: Complete this form with the required information.** Type the form if possible or complete it neatly and clearly in black ink. If you need additional room, please use plain or lined paper, 8½-by-11", and staple to this form.

**Step 5: Make 2 copies of each side of this completed form and any attached pages.**

**Step 6: Serve a copy on the other party.** Have someone other than yourself mail to the attorney for the other party, the other party, and the local child support agency, if they are handling the case, 1 copy of this form, 1 copy of each of your stubs for the last two months, and 1 copy of your most recent federal income tax return.

**Step 7: File the original with the court.** Staple this form with 1 copy of each of your pay stubs for the last two months. Take this document and give it to the clerk of the court. Check with your local court about how to submit your return.

**Step 8: Keep the remaining copies of the documents for your file.**

**Step 9: Take the copy of your latest federal income tax return to the court hearing.**

**It is very important that you attend the hearings scheduled for this case. If you do not attend a hearing, the court may make an order without considering the information you want the court to consider.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):    TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	
<b>INCOME AND EXPENSE DECLARATION</b>	
CASE NUMBER:	

**1. Employment** (Give information on your current job or, if you're unemployed, your most recent job.)

Attach copies of your pay stubs for last two months here (black out social security numbers).

- a. Employer:
- b. Employer's address:
- c. Employer's phone number:
- d. Occupation:
- e. Date job started:
- f. If unemployed, date job ended:
- g. I work about \_\_\_\_\_ hours per week.
- h. I get paid \$ \_\_\_\_\_ gross (before taxes) ☐ per month ☐ per week ☐ per hour.

(If you have more than one job, attach an 8½-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

**2. Age and education**

- a. My age is (specify): \_\_\_\_\_
- b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed (specify): \_\_\_\_\_
- c. Number of years of college completed (specify): \_\_\_\_\_ Degree(s) obtained (specify): \_\_\_\_\_
- d. Number of years of graduate school completed (specify): \_\_\_\_\_ Degree(s) obtained (specify): \_\_\_\_\_
- e. I have: ☐ professional/occupational license(s) (specify): \_\_\_\_\_  
☐ vocational training (specify): \_\_\_\_\_

**3. Tax information**

- a. ☐ I last filed taxes for tax year (specify year): \_\_\_\_\_
- b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately  
☐ married, filing jointly with (specify name): \_\_\_\_\_
- c. I file state tax returns in ☐ California ☐ other (specify state): \_\_\_\_\_
- d. I claim the following number of exemptions (including myself) on my taxes (specify): \_\_\_\_\_

- 4. Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at (specify): \$ \_\_\_\_\_  
 This estimate is based on (explain): \_\_\_\_\_

(If you need more space to answer any questions on this form, attach an 8½-by-11-inch sheet of paper and write the question number before your answer.)

5. Number of pages attached: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT/CLAIMANT:	

Attach copies of your pay stubs for the last two months and proof of any other income to the first page. Take a copy of your latest federal tax return to the court hearing. (Black out your social security number on the pay stub and tax return.)

5. **Income** (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)
- |  | Last month | Average monthly |
|--|------------|-----------------|
| a. Salary or wages (gross, before taxes) . . . . .   | \$ _____   | _____           |
| b. Overtime (gross, before taxes) . . . . .  | \$ _____   | _____           |
| c. Commissions or bonuses. . . . .   | \$ _____   | _____           |
| d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving . . . . .  | \$ _____   | _____           |
| e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage . . . . .  | \$ _____   | _____           |
| f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership . . . . .                    | \$ _____   | _____           |
| g. Pension/retirement fund payments. . . . .   | \$ _____   | _____           |
| h. Social security retirement (not SSI) . . . . .  | \$ _____   | _____           |
| i. Disability: <input type="checkbox"/> Social security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance . . . . . | \$ _____   | _____           |
| j. Unemployment compensation . . . . .   | \$ _____   | _____           |
| k. Workers' compensation . . . . .   | \$ _____   | _____           |
| l. Other (military BAQ, royalty payments, etc.) (specify): . . . . .   | \$ _____   | _____           |
6. **Investment income** (Attach a schedule showing gross receipts less cash expenses for each piece of property.)
- |                                     |          |       |
|-------------------------------------|----------|-------|
| a. Dividends/interest. . . . .      | \$ _____ | _____ |
| b. Rental property income . . . . . | \$ _____ | _____ |
| c. Trust income. . . . .            | \$ _____ | _____ |
| d. Other (specify): . . . . .       | \$ _____ | _____ |
7. **Income from self-employment, after business expenses for all businesses.** . . . . . \$ \_\_\_\_\_
- I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify): \_\_\_\_\_
- Number of years in this business (specify): \_\_\_\_\_
- Name of business (specify): \_\_\_\_\_
- Type of business (specify): \_\_\_\_\_
- Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your social security number. If you have more than one business, provide the information above for each of your businesses.**
8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount): \_\_\_\_\_
9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify): \_\_\_\_\_
10. **Deductions** . . . . . Last month
- |   |          |
|---|----------|
| a. Required union dues . . . . .  | \$ _____ |
| b. Required retirement payments (not social security, FICA, 401(k), or IRA). . . . .                                  | \$ _____ |
| c. Medical, hospital, dental, and other health insurance premiums (total monthly amount). . . . .                     | \$ _____ |
| d. Child support that I pay for children from other relationships. . . . .  | \$ _____ |
| e. Spousal support that I pay by court order from a different marriage. . . . .                                       | \$ _____ |
| f. Partner support that I pay by court order from a different domestic partnership . . . . .                          | \$ _____ |
| g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g") . . . . . | \$ _____ |
11. **Assets** . . . . . Total
- |   |          |
|---|----------|
| a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts . . . . .  | \$ _____ |
| b. Stocks, bonds, and other assets I could easily sell . . . . .  | \$ _____ |
| c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe) . . . . . | \$ _____ |



PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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**12. The following people live with me:**

Name	Age	How the person is related to me? (ex: son)	That person's gross monthly income	Pays some of the household expenses?	
a.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
b.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
c.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
d.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
e.				<input type="checkbox"/> Yes	<input type="checkbox"/> No

**13. Average monthly expenses**      ☐ Estimated expenses      ☐ Actual expenses      ☐ Proposed needs

- |   |   |
|---|---|
| <p>a. Home:</p> <p>(1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage... \$ _____</p> <p style="padding-left: 20px;">If mortgage:</p> <p style="padding-left: 40px;">(a) average principal: \$ _____</p> <p style="padding-left: 40px;">(b) average interest: \$ _____</p> <p>(2) Real property taxes ..... \$ _____</p> <p>(3) Homeowner's or renter's insurance (if not included above) ..... \$ _____</p> <p>(4) Maintenance and repair ..... \$ _____</p> <p>b. Health-care costs not paid by insurance... \$ _____</p> <p>c. Child care ..... \$ _____</p> <p>d. Groceries and household supplies. .... \$ _____</p> <p>e. Eating out. .... \$ _____</p> <p>f. Utilities (gas, electric, water, trash) ..... \$ _____</p> <p>g. Telephone, cell phone, and e-mail ..... \$ _____</p> | <p>h. Laundry and cleaning ..... \$ _____</p> <p>i. Clothes ..... \$ _____</p> <p>j. Education ..... \$ _____</p> <p>k. Entertainment, gifts, and vacation. .... \$ _____</p> <p>l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) ..... \$ _____</p> <p>m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)... \$ _____</p> <p>n. Savings and investments. .... \$ _____</p> <p>o. Charitable contributions. .... \$ _____</p> <p>p. Monthly payments listed in item 14 (itemize below in 14 and insert total here). . \$ _____</p> <p>q. Other (specify): ..... \$ _____</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>r. <b>TOTAL EXPENSES</b> (a–q) (do not add in the amounts in a(1)(a) and (b)) \$ _____</p> </div> <p>s. <b>Amount of expenses paid by others</b> \$ _____</p> |
|---|---|

**14. Installment payments and debts not listed above**

Paid to	For	Amount	Balance	Date of last payment
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

15. This form ☐ does ☐ does not contain the locations of, or identifying information about, the assets and debts listed.  
 NOTE: If the form does contain such information, you may ask the court to seal this document by completing and submitting an *Ex Parte Application and Order to Seal Financial Forms* (form FL-316).

**16. Attorney fees** (This is required if either party is requesting attorney fees.): \$

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$
- b. The source of this money was (specify):
- c. I still owe the following fees and costs to my attorney (specify total owed): \$
- d. My attorney's hourly rate is (specify): \$

I confirm this fee arrangement.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF ATTORNEY)



\_\_\_\_\_  
 (SIGNATURE OF ATTORNEY)

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT/CLAIMANT:	

### CHILD SUPPORT INFORMATION

(NOTE: Fill out this page only if your case involves child support.)

**17. Number of children**

- a. I have (specify number): \_\_\_\_\_ children under the age of 18 with the other parent in this case.
- b. The children spend \_\_\_\_\_ percent of their time with me and \_\_\_\_\_ percent of their time with the other parent.  
(If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

**18. Children's health-care expenses**

- a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
- b. Name of insurance company:
- c. Address of insurance company:
- d. The monthly cost for the **children's** health insurance is or would be (specify): \$ \_\_\_\_\_  
(Do not include the amount your employer pays.)

**19. Additional expenses for the children in this case**

Amount per month

- a. Child care so I can work or get job training. . . . . \$ \_\_\_\_\_
- b. Children's health care not covered by insurance . . . . . \$ \_\_\_\_\_
- c. Travel expenses for visitation . . . . . \$ \_\_\_\_\_
- d. Children's educational or other special needs (specify below): . . . . . \$ \_\_\_\_\_

**20. Special hardships.** I ask the court to consider the following special financial circumstances (attach documentation of any item listed here, including court orders):

Amount per month

For how many months?

- a. Extraordinary health expenses not included in 19b. . . . . \$ \_\_\_\_\_
- b. Major losses not covered by insurance (examples: fire, theft, other insured loss) . . . . . \$ \_\_\_\_\_
- c. (1) Expenses for my minor children who are from other relationships and are living with me . . . . . \$ \_\_\_\_\_
- (2) Names and ages of those children (specify):

(3) Child support I receive for those children. . . . . \$ \_\_\_\_\_

The expenses listed in a, b, and c create an extreme financial hardship because (explain):

**21. Other information I want the court to know concerning support in my case (specify):**

Attach copies of your pay stubs for last two months here (black out social security numbers).

- a. Employer: \_\_\_\_\_
- b. Employer's address: \_\_\_\_\_
- c. Employer's phone number: \_\_\_\_\_
- d. Occupation: \_\_\_\_\_
- e. Date job started: \_\_\_\_\_
- f. If unemployed, date job ended: \_\_\_\_\_
- g. I work about \_\_\_\_\_ hours per week.
- h. I get paid \$ \_\_\_\_\_ gross (before taxes)  per month  per week  per hour.

## 2. Age and education

- a. My age is (*specify*): \_\_\_\_\_
- b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed (*specify*): \_\_\_\_\_
- c. Number of years of college completed (*specify*): \_\_\_\_\_ Degree(s) obtained (*specify*): \_\_\_\_\_
- d. Number of years of graduate school completed (*specify*): \_\_\_\_\_ Degree(s) obtained (*specify*): \_\_\_\_\_
- e. I have: ☐ professional/occupational license(s) (*specify*): \_\_\_\_\_  
☐ vocational training (*specify*): \_\_\_\_\_

a. ☐ I last filed taxes for tax year (specify year):

b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately  
☐ married, filing jointly with (specify name):

c. I file state tax returns in ☐ California ☐ other (specify state):

d. I claim the following number of exemptions (including myself) on my taxes (specify):

- (If you need more space to answer any questions on this form, attach an 8½-by-11-inch sheet of paper and write the question number before your answer.)

Date:

(SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT/CLAIMANT:	

Attach copies of your pay stubs for the last two months and proof of any other income to the first page. Take a copy of your latest federal tax return to the court hearing. (Black out your social security number on the pay stub and tax return.)

5. **Income** (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)

	Last month	Average monthly
a. Salary or wages (gross, before taxes) . . . . .	\$ _____	_____
b. Overtime (gross, before taxes) . . . . .	\$ _____	_____
c. Commissions or bonuses. . . . .	\$ _____	_____
d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving . . . . .	\$ _____	_____
e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage . . . . .	\$ _____	_____
f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership . . . . .	\$ _____	_____
g. Pension/retirement fund payments. . . . .	\$ _____	_____
h. Social security retirement (not SSI) . . . . .	\$ _____	_____
i. Disability: <input type="checkbox"/> Social security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance . . . . .	\$ _____	_____
j. Unemployment compensation . . . . .	\$ _____	_____
k. Workers' compensation . . . . .	\$ _____	_____
l. Other (military BAQ, royalty payments, etc.) (specify): . . . . .	\$ _____	_____

6. **Investment income** (Attach a schedule showing gross receipts less cash expenses for each piece of property.)

a. Dividends/interest. . . . .	\$ _____	_____
b. Rental property income . . . . .	\$ _____	_____
c. Trust income. . . . .	\$ _____	_____
d. Other (specify): . . . . .	\$ _____	_____

7. **Income from self-employment, after business expenses for all businesses.** . . . . . \$ \_\_\_\_\_

I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify): \_\_\_\_\_

Number of years in this business (specify): \_\_\_\_\_

Name of business (specify): \_\_\_\_\_

Type of business (specify): \_\_\_\_\_

**Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your social security number. If you have more than one business, provide the information above for each of your businesses.**

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount): \_\_\_\_\_

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify): \_\_\_\_\_

10. **Deductions** . . . . . Last month

a. Required union dues . . . . .	\$ _____
b. Required retirement payments (not social security, FICA, 401(k), or IRA). . . . .	\$ _____
c. Medical, hospital, dental, and other health insurance premiums (total monthly amount). . . . .	\$ _____
d. Child support that I pay for children from other relationships. . . . .	\$ _____
e. Spousal support that I pay by court order from a different marriage. . . . .	\$ _____
f. Partner support that I pay by court order from a different domestic partnership . . . . .	\$ _____
g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g") . . . . .	\$ _____

11. **Assets** . . . . . Total

a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts . . . . .	\$ _____
b. Stocks, bonds, and other assets I could easily sell . . . . .	\$ _____
c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe) . . . . .	\$ _____

PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER PARENT/CLAIMANT: _____	CASE NUMBER: _____
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**12. The following people live with me:**

Name	Age	How the person is related to me? (ex: son)	That person's gross monthly income	Pays some of the household expenses?	
a.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
b.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
c.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
d.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
e.				<input type="checkbox"/> Yes	<input type="checkbox"/> No

**13. Average monthly expenses**      ☐ Estimated expenses      ☐ Actual expenses      ☐ Proposed needs

- |   |   |
|---|---|
| <p>a. Home:</p> <p>(1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage... \$ _____</p> <p style="padding-left: 20px;">If mortgage:</p> <p style="padding-left: 40px;">(a) average principal: \$ _____</p> <p style="padding-left: 40px;">(b) average interest: \$ _____</p> <p>(2) Real property taxes ..... \$ _____</p> <p>(3) Homeowner's or renter's insurance (if not included above) ..... \$ _____</p> <p>(4) Maintenance and repair ..... \$ _____</p> <p>b. Health-care costs not paid by insurance... \$ _____</p> <p>c. Child care ..... \$ _____</p> <p>d. Groceries and household supplies. .... \$ _____</p> <p>e. Eating out. .... \$ _____</p> <p>f. Utilities (gas, electric, water, trash) ..... \$ _____</p> <p>g. Telephone, cell phone, and e-mail ..... \$ _____</p> | <p>h. Laundry and cleaning ..... \$ _____</p> <p>i. Clothes ..... \$ _____</p> <p>j. Education ..... \$ _____</p> <p>k. Entertainment, gifts, and vacation. .... \$ _____</p> <p>l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) ..... \$ _____</p> <p>m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)... \$ _____</p> <p>n. Savings and investments. .... \$ _____</p> <p>o. Charitable contributions. .... \$ _____</p> <p>p. Monthly payments listed in item 14 (itemize below in 14 and insert total here). . \$ _____</p> <p>q. Other (specify): ..... \$ _____</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>r. <b>TOTAL EXPENSES</b> (a–q) (do not add in the amounts in a(1)(a) and (b)) \$ _____</p> </div> <p>s. <b>Amount of expenses paid by others</b> \$ _____</p> |
|---|---|

**14. Installment payments and debts not listed above**

Paid to	For	Amount	Balance	Date of last payment
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

15. This form ☐ does ☐ does not contain the locations of, or identifying information about, the assets and debts listed.  
 NOTE: If the form does contain such information, you may ask the court to seal this document by completing and submitting an *Ex Parte Application and Order to Seal Financial Forms* (form FL-316).

**16. Attorney fees** (This is required if either party is requesting attorney fees.): \$

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$
- b. The source of this money was (specify):
- c. I still owe the following fees and costs to my attorney (specify total owed): \$
- d. My attorney's hourly rate is (specify): \$

I confirm this fee arrangement.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF ATTORNEY)



\_\_\_\_\_  
 (SIGNATURE OF ATTORNEY)

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	
OTHER PARENT/CLAIMANT:	

### CHILD SUPPORT INFORMATION

(NOTE: Fill out this page only if your case involves child support.)

**17. Number of children**

- a. I have (specify number): \_\_\_\_\_ children under the age of 18 with the other parent in this case.
- b. The children spend \_\_\_\_\_ percent of their time with me and \_\_\_\_\_ percent of their time with the other parent.  
(If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

**18. Children's health-care expenses**

- a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
- b. Name of insurance company:
- c. Address of insurance company:
- d. The monthly cost for the **children's** health insurance is or would be (specify): \$ \_\_\_\_\_  
(Do not include the amount your employer pays.)

**19. Additional expenses for the children in this case**

Amount per month

- a. Child care so I can work or get job training. . . . . \$ \_\_\_\_\_
- b. Children's health care not covered by insurance . . . . . \$ \_\_\_\_\_
- c. Travel expenses for visitation . . . . . \$ \_\_\_\_\_
- d. Children's educational or other special needs (specify below): . . . . . \$ \_\_\_\_\_

**20. Special hardships.** I ask the court to consider the following special financial circumstances (attach documentation of any item listed here, including court orders):

Amount per month

For how many months?

- a. Extraordinary health expenses not included in 19b. . . . . \$ \_\_\_\_\_
- b. Major losses not covered by insurance (examples: fire, theft, other insured loss) . . . . . \$ \_\_\_\_\_
- c. (1) Expenses for my minor children who are from other relationships and are living with me . . . . . \$ \_\_\_\_\_
- (2) Names and ages of those children (specify):

(3) Child support I receive for those children. . . . . \$ \_\_\_\_\_

The expenses listed in a, b, and c create an extreme financial hardship because (explain):

**21. Other information I want the court to know concerning support in my case (specify):**